



United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

December 14, 2021

VIA ECF

The Honorable Katherine Polk Failla
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *Revanche, et al. v. Mayorkas, et al.*, 21-cv-3345 (KPF)

Dear Judge Failla:

This Office represents the government in the above-referenced action in which plaintiffs seek an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate plaintiffs’ Petition for Alien Relative (Form I-130) and Application to Register Permanent Residence or Adjust Status (Form I-485). I write respectfully, with plaintiffs’ consent, to request an approximately two-month extension of the government’s time respond to the complaint, *i.e.*, from the current due date of December 21, 2021 to February 22, 2022. This is the government’s fourth request for an extension. The Court granted the government’s prior extension requests on June 21, August 16, and October 21, 2021. *See* ECF Nos. 13, 15, and 17.

The extension is requested because USCIS reopened the I-485 application at plaintiff’s request, and on November 18, 2021, USCIS issued a Request for Evidence (“RFE”). Plaintiffs have until February 14, 2022 to respond to the RFE, and USCIS needs the response before it can take adjudicative action. The requested extension is requested to allow time for this process to take place, and to allow the parties to try to resolve this case without the need for court intervention.

For the same reasons as discussed above, the government also respectfully requests that the Court adjourn the initial pretrial conference presently scheduled for January 13, 2022 to a date at least two weeks after February 22, 2022. This is the government’s fourth request to adjourn the initial conference, and plaintiffs consent to this request.

I thank the Court for its consideration of these requests.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: s/ Rebecca R. Friedman
Rebecca Friedman
Assistant United States Attorney
E-mail: rebecca.friedman@usdoj.gov

cc: Counsel of record (via ECF)

Application GRANTED. Defendants' time to respond shall be extended to February 22, 2022. The initial pretrial conference scheduled for January 13, 2022, is hereby adjourned to March 9, 2022, at 10:00 a.m. The conference will be held telephonically. At the scheduled date and time, the parties are to call (888) 363-4749 and enter access code 5123533. Please note, the conference will not be available until 10:00 a.m.

The Clerk of Court is directed to terminate the pending motion at docket entry 18.

Date: December 15, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE